

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

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LORIE GRATKE & TROY GRATKE
ON BEHALF OF THEMSELVES &
ALL OTHERS SIMILARLY SITUATED,

Plaintiffs,

vs.

ORDER ADOPTING
REPORT AND RECOMMENDATION

ANDERSEN WINDOWS, INC. &
ANDERSEN CORPORATION,

Defendants.

Civil No. 10-963 (PJS/LIB)

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Based upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois, and after an independent review of the files, records and proceedings in the above-entitled matter,

IT IS ORDERED that Plaintiffs' Motion to Dismiss Defendants' Counterclaim [Docket No. 29] is **GRANTED**.

DATED: 12/28/10

s/Patrick J. Schiltz
Patrick J. Schiltz
United States District Judge